

REMARKS

In the present Amendment, claim 46 has been amended to incorporate the subject matter of claim 45. Claims 45 and 48 have been canceled without prejudice or disclaimer. Claim 47 was previously canceled. No new matter has been added.

Applicant respectfully submits that entry of the amendments, after final, is proper, at least because they place the application either in condition for allowance or in better form for appeal. See M.P.E.P. § 714.12. Upon entry of the Amendment, claims 1-44, 46 and 49-53 will be all the claims pending in the application.

Applicant notes with appreciation that claims 1-44 and 49-51 are allowed.

I. Response to Rejections under 35 U.S.C. §§ 102(b)/103(a)

a. Claims 45, 46 and 48 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly obvious over WO 98/40425 to Sulc et al. Applicant respectfully submits that claim 46 is novel and patentable over Sulc et al. for at least the following reasons.

Claim 46 recites an IPN comprising at least a silicone polymer composition, said IPN being obtained by a method according to claim 1 and being essentially free of organic solvents, wherein the IPN is a full IPN comprising at least two interpenetrating, individually cross linked networks.

Sulc et al. describes a composite swellable elastomer comprising a hydrophobic elastomeric component (silicone) and a hydrophilic component forming continuous or communicating matrixes.

In Sulc et al., the composite material comprises hydrophilic particles uniformly distributed and next to each other (Page 6, line 30 – page 7, line 3, and page 9, lines 21-24). Sulc et al.'s method results in a blend of hydrophilic polymer, precipitated particles inside the polymeric filler forming a filler with interpenetrating network. However, Sulc et al. does not

disclose or provide any hints towards a full IPN comprising at least two interpenetrating, individually cross-linked networks.

In view of the foregoing, Applicant respectfully submits that claim 46 is novel and patentable over Sulc et al. and thus the rejection should be withdrawn.

b. Claims 45 and 46 were rejected under § 102(b) as allegedly anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly obvious over U.S. Patent Application Publication No. 2002/0052448 to Wang et al. Applicant respectfully submits that claim 46 is novel and patentable over Wang et al. for at least the following reasons.

Wang et al. describes a composite material formed from a polymer, e.g., a silicone polymer which polymer is swelled by a solvent and a monomer. Wang et al. mentions in paragraph [0024], that solvent may not be necessary. Wang et al. fails to show any enabling disclosure of producing a full IPN comprising at least two interpenetrating, individually cross-linked networks free of organic solvent. Clearly, the method described in Wang et al. cannot result in such full IPN comprising at least two interpenetrating, individually cross-linked networks free of organic solvent.

In view of the foregoing, Applicant respectfully submits that claim 46 is novel and patentable over Sulc et al. and thus the rejection should be withdrawn.

c. Claims 45, 46, 48, 52 and 53 were rejected under § 102(b) as allegedly anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly obvious over European Patent No. EP 0315836 to Finberg. Applicant respectfully submits that claims 46, 52 and 53 are novel and patentable over Finberg for at least the following reasons.

Finberg describes cross-linked polyorganosiloxane networks prepared by dispersing vinylsiloxane and silicon hydride components in a liquid monomer, cross-linking the siloxane components by hydrosilylation, and thereafter polymerizing the organic monomer, e.g., by use of peroxide. The method described in Finberg does not result in a full IPN comprising at least

two interpenetrating, individually cross-linked networks free of organic solvent. Moreover, the process described in Finberg cannot be used or modified to provide such IPN.

In view of the foregoing, Applicant respectfully submits that claims 46, 52 and 53 are novel and patentable over Finberg and thus the rejection should be withdrawn.

II. Conclusion


From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at his earliest convenience.

Respectfully submitted,

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